

representative that Defendant Petty would be back soon and that she was in touch with him (Doc. 49-2). Melissa Petty also indicated that Defendant Petty resided with her when he was in Arlington, Texas (Doc. 49-3).

10. Plaintiff also contacted Defendant Petty's mother, Dee Petty. She indicated that Defendant Petty would be home soon (Doc. 49-2). On November 2, 2011, Plaintiff served the summons and complaint to Dee Petty at her home at 4928 Rutland, Fort Worth, Texas (Doc. 49-3).
11. Plaintiff has conducted a search every six months for vehicles or property listed to Defendant Petty. Searching employment records has also not yielded any results.

DEFENDANT PETTY'S ACTUAL NOTICE OF SUIT

Even though Plaintiff has not been able to effect personal service of process, Defendant Petty does have actual notice of the lawsuit, which contributes to the hide and seek nature of this case. His actual notice of suit is evidenced by the fact that an attorney entered a limited appearance on behalf of Defendant Petty "for the sole purposes of contesting the alleged service of process made as to Defendant William Petty" (Doc. 45). If Defendant Petty did not have actual notice of the lawsuit, he would not have known to hire an attorney to represent him while he absconded to the United Arab Emirates and established residency there, as evidenced by his counsel filing his redacted United Arab Emirates residency card (Doc. 53-2), a copy of which is attached hereto and incorporated as Exhibit A.

In addition to Plaintiff's pending request for service by publication (Doc. 56), Defendant Petty has moved this Court to quash the alleged services of process (Doc. 46). At this time, the Court is awaiting a response from Plaintiff to the motion to quash.